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ACTION EUR-00

INFO	LOG-00	AID-00	A-00	CA-00	CCO-00	CG-00	CIAE-00
	COME-00	CTME-00	DODE-00	DOEE-00	DOTE-00	DS-00	EB-00
	FAAE-00	FBIE-00	VC-00	TEDE-00	INR-00	INSE-00	IO-00
	L-00	CAC-00	VCE-00	M-00	AC-00	NEA-00	NRC-00
	NSAE-00	NSCE-00	OCS-00	OIC-00	PA-00	PM-00	PRS-00
	ACE-00	P-00	SCT-00	SSO-00	SS-00	TRSE-00	USSS-00
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P 221633Z APR 05
FM AMEMBASSY MADRID
TO SECSTATE WASHDC PRIORITY 6045
NSC WASHDC PRIORITY
FBI WASHDC PRIORITY
DEPT OF JUSTICE WASHDC PRIORITY
INFO EUROPEAN POLITICAL COLLECTIVE PRIORITY
AMEMBASSY ALGIERS PRIORITY
AMEMBASSY AMMAN PRIORITY
AMEMBASSY CAIRO PRIORITY
AMEMBASSY DAMASCUS PRIORITY
AMEMBASSY RABAT PRIORITY
AMEMBASSY TEL AVIV PRIORITY
AMCONSUL BARCELONA PRIORITY

RELEASED IN PART
B1, 1.4(B), 1.4(D)

C O N F I D E N T I A L MADRID 001584

E.O. 12958: DECL: 04/22/2015
TAGS: PTER, PREL, SP
SUBJECT: MASS TRIAL OF AL-QA'IDA SUSPECTS GETS UNDERWAY

Classified By: Political Counselor Kathy Fitzpatrick; reason
1.4 (D).

1. (U) Spanish prosecutors launched their case against al-Qa'ida financier Imad Eddin Barakat Yarkas and 23 associated defendants on April 22 before the Fifth Magistrate of Spain's National Court. The defendants were named in a September 2003 indictment handed down by high-profile judge Baltasar Garzon against 35 alleged terrorists, including Osama bin Laden, but only the 24 suspects in Spanish custody are being tried. Three of the defendants -- Yarkas, Driss Chebli, and Ghasoub al Abrash Ghalyoun -- are each charged with 2,500 counts of murder in connection with their alleged logistical support for the September 11 attacks. They face maximum 40-year terms if convicted. The 21 other defendants are charged with lesser crimes, including membership in a terrorist organization, possession of explosives, and document fraud, and face sentences ranging from 9 to 27

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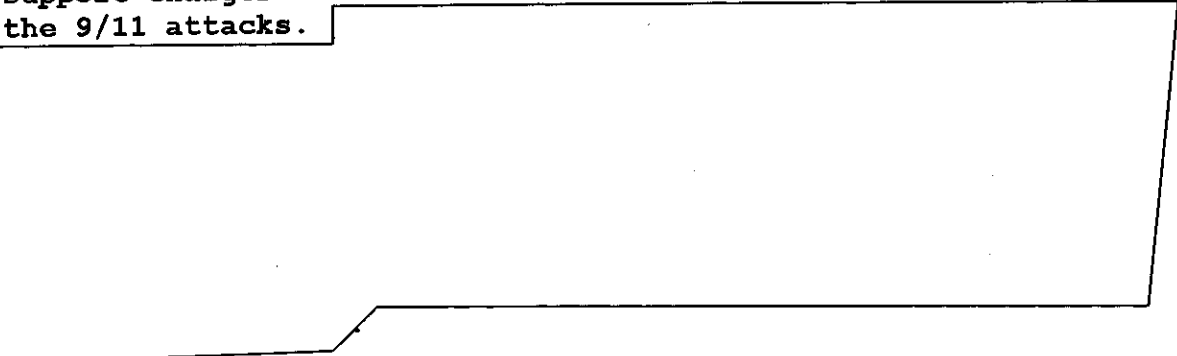
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years. Yarkas has been held since November 2001, when Spanish authorities began to intensify police activities against Islamist terrorist suspects in response to the attacks on New York and Washington.

2. (U) The trial is being held in a specially prepared courtroom on the western outskirts of Madrid. According to press reports, the trial is expected to last up to four months. Though the case was initiated by Judge Garzon, the presiding magistrates during the trial phase will be Javier Gomez Bermudez, Angela Murillo, and Ricardo Rodriguez Gutierrez. The prosecution will be led by Pedro Rubira, a specialist in Islamic terrorism investigations. Embassy personnel will attend most sessions of the trial and we have requested transcripts of the daily sessions.

//USG COULD BE BLAMED FOR LACK OF ACCESS TO WITNESSES//

3. (C) By most accounts, investigators have failed to obtain significant information to support charges that Yarkas knew of plans for the September 11 attacks and/or that Yarkas provided logistical support to 9/11 ringleader Mohamed Atta during Atta's visit to Spain in July 2001. A review of the prosecutor's report on Yarkas and his co-defendants (e-mailed to EUR/WE) reveals significant circumstantial evidence to support the conclusion that Yarkas and his associates were involved in a broad range of activities in support of al-Qa'ida from at least 1995 onward, but few details to support charges related to their involvement in planning for the 9/11 attacks.



B1

//DEFENDANTS IN BARAKAT YARKAS CASE//

4. (U) The following information was compiled from prosecution documents and press reports:

A. Immad Eddin BARAKAT YARKAS. DPOB: 1963, Aleppo, Syria.
Aliases: Abu Dahdah
Spanish citizen.
Charges: Membership in a terrorist organization, murder during commission of a terrorist act, falsification of

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documents

Maximum sentence: 65,512 years (Can serve maximum of 40 years)

B. Bassam DALATI SATUT. DPOB: 1959, Aleppo, Syria.

Aliases: Abu Abdo

Spanish citizen.

Charges: Membership in a terrorist organization

Maximum sentence: 9 years

C. Najib CHAIB MOHAMED. DPOB: 17 FEB 1966, Nador, Morocco.

Aliases: None cited

Spanish citizen.

Charges: Membership in a terrorist organization, illegal possession of weapons, illegal possession of explosives

Maximum sentence: 27 years

D. Luis Jose GALAN GONZALEZ. DPOB: 1965, Madrid, Spain.

Aliases: Yusuf Galan

Spanish citizen Charges: Membership in a terrorist organization, illegal possession of explosives

Maximum sentence: 18 years

E. Abdulla KHAYATA KATAN. DPOB: 03 APR 1976, Aleppo, Syria.

Aliases: Abu Ibrahim

Spanish citizen

Charges: Membership in a terrorist organization

Maximum sentence: 9 years

F. Ousama DARRA. DPOB: 26 JAN 1966, Damascus, Syria.

Aliases: Abu Thabet, Abu Bashir

Legal resident of Spain.

Charges: Membership in a terrorist organization, fraud

Maximum sentence: 12 years

G. Mohamed NEEDL ACAID. DPOB: 1 MAR 1967, Damascus, Syria.

Aliases: Nidal

Legal resident of Spain.

Charges: Membership in a terrorist organization, fraud

Maximum sentence: 12 years

H. Sid AHMED BOUDJELLA. DPOB: 23 JUL 1971, Algiers, Algeria.

Aliases: Sidli

Legal resident of Spain

Charges: Cooperation with a terrorist organization, fraud

Maximum sentence: 10 years

I. Mohamed ZAHER ASADE. DPOB: 1967, Syria.

Aliases: Abu Hmeid

Legal resident of Spain

Charges: Membership in a terrorist organization

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Maximum sentence: 9 years

J. Abdalrahman ALARNOT. DPOB: 06 FEB 1965, Damascus, Syria.
Aliases: Abu Aljer, Abu Obed
Spanish citizen
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

K. Abdelaziz BENYAICH
NO BIOGRAPHIC DATA AVAILABLE FOR BENYAICH
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

L. Jasem MAHBOULE. DPOB: 03 MAY 1962, Direzzor, Syria.
Aliases: Abu Mohamed
Legal resident of Spain
Charges: Membership in a terrorist organization, illegal
possession of weapons
Maximum sentence: 18 years

M. Hassan AL HUSSEIN. DPOB: 01 JAN 1962, Dairozzor, Syria.
Aliases: Abu Abbud, Abu Ubaida
Legal resident of Spain
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

N. Sadik MERIZIAK. DPOB: 1969, Fez, Morocco.
Aliases: Abu Abdelrahman
Legal resident of Spain
Charges: Membership in a terrorist organization.
Maximum sentence: 9 years

O. Mohamed Ghaleb KALAJE ZOUAYDI. DPOB: 03 JAN 1961,
Aleppo, Syria
Aliases: Abu Thala
Spanish citizen
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

P. Ghasoub AL ABRASH GHAYOUN. DPOB: 03 JUL 1965, Homs, Syria.
Aliases: Abu Musab
Spanish citizen
Charges: Membership in a terrorist organization, murder
during commission of a terrorist act, falsification of
documents
Maximum sentence: 65,512 years (Can serve maximum of 40 years)

Q. Kamal HADID CHAAR. DPOB: 17 FEB 1959, Aleppo, Syria.
Aliases: Abu Nour
Spanish citizen

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Charges: Membership in a terrorist organization
Maximum sentence: 9 years

R. Ahmad KOSHAJI KELANI. DPOB: 13 SEP 1961, Hama, Syria.
Aliases: Abu Ahmad
Spanish citizen
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

S. Waheed KOSHAJI KELANI. DPOB: 25 SEP 1954, Hama, Syria
Aliases: Abu Mohamed
Spanish citizen
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

T. Said CHEDADADI. DPOB: 1969, Tangier, Morocco.
Aliases: None cited
Legal resident of Spain
Charges: Membership in a terrorist organization, Document
fraud
Maximum sentence: 12 years

U. Mohamed KHAIR EL SAQQA. DPOB: 04 FEB 1965, Homs, Syria
Aliases: Abu al Darda, Abu al Dur
Legal resident of Spain
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

V. Taysir ALONY KATE. DPOB: 20 MAR 1955, Ezor, Syria
Aliases: Abu Musab
Spanish citizen
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

W. Jamal HUSSEIN HUSSEIN. DPOB: 06 SEP 1959, Abou Kemal,
Syria
Aliases: Abu Ali
Legal resident of Spain
Charges: Membership in a terrorist organization
Maximum sentence: 9 years

X. Driss CHEBLI. DPOB: 28 FEB 1972, Touzine, Morocco.
Aliases: None cited
Legal resident of Spain
Charges: Membership in a terrorist organization, murder
during commission of a terrorist act, falsification of
documents
Maximum sentence: 65,512 years (Can serve maximum of 40
years)
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